

2152
8
B1
08-22-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Steven J. Smith

Appln. No.: 09/829,524

Confirm. No.: 8436

Filed: April 9, 2001

Title: HIGH VOLUME ELECTRONIC MAIL PROCESSING SYSTEMS AND METHODS

PATENT APPLICATION

Art Unit: 2152

AUG 21 REC'D

Examiner:

Customer No. 23910

RECEIVED

TC 2100

RECEIVED

AUG 20 2003

Technology Center 2100

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Aug. 14, 2003.

Brenda J. Dolly

(Signature)

Name: Brenda J. Dolly

Signature Date: Aug. 14, 2003

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise

explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

— **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

— **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

— **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

— **-- AND (check at least one of the following) --**

- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
- (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the Issue Fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

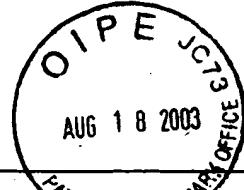
Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLP

Date: 8/13/03

By: 
Daniel J. Burns
Reg. No. 50,222

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800



Sheet ____ of ____

Form PTO-1449 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number MNDSH-01000US0	Serial/Patent Number 09/829,524
<i>Information Disclosure Statement</i> BY APPLICANT <i>(Use several sheets if necessary)</i>		Applicant/Patent Owner Steven J. Smith	
		Filing/Issue Date April 9, 2001	Group Art Unit 2152

U.S. PATENTS

Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
1	5,424,724	Jun. 13, 1995	Williams et al.			
2	5,487,100	Jan. 23, 1996	Kane			RECEIVED
3	5,504,897	Apr. 02, 1996	Gans et al.			AUG 20 2003
4	5,761,662	Jun. 02, 1998	Dasan			Technology Center 2100
5	5,793,497	Aug. 11, 1998	Funk			
6	5,793,972	Aug. 11, 1998	Shane			
7	5,835,762	Nov. 10, 1998	Gans et al.			
8	5,864,684	Jan. 26, 1999	Nielsen			
9	5,893,099	Apr. 06, 1999	Schreiber et al.			
10	5,937,162	Aug. 10, 1999	Funk et al.			
11	5,948,061	Sep. 07, 1999	Merriman et al.			
12	6,044,395	Mar. 28, 2000	Costales et al.			
13	6,216,127 B1	Apr. 10, 2001	Gans et al.			
14	6,289,372 B1	Sep. 11, 2001	Vyaznikov			
15	6,463,462 B1	Oct. 08, 2002	Smith et al.			

U.S. PATENT PUBLICATIONS

Examiner Initial	Patent Application Publication Number	Publication Date	Applicant
16	2003/0028580 A1	Feb. 06, 2002	Kucherawy

PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	O AUG 18 2003 U.S. PATENT & TRADEMARK OFFICE	First Named Inventor	Petition to Expunge? Yes No	
17		10/389,419	Mar. 14, 2003	FENTON ET AL.			

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans-lation Yes No
							RECEIVED
							AUG 20 2003
							Technology Center 2100

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

18	Article - "FloNetwork Inc., Prefer Network Team Up," www.emailuniverse.com/list-news/2000/10/18.html , October 18, 2000, 1 page
19	Press Release - "Responsys.com Introduces Responsys Interact 2.0 for Permission-Based Direction on the Internet," www.responsys.com/corporate/about/details_press.asp?id=10 , dated Monday, October 25, 1999, 3 pages
20	Press Release - "L-Soft Announces Release of LSMTPTM Version 1.1b," www.lsoft.com/news/lsmtp , dated March 1, 1999, 2 pages
21	Internet Article - "Eight Great Lists Call Topica Home," The Leader in Email Discussions & Publishing Solutions, www.topica.com/about/index.html?mode=eight , dated July 26, 1999, 3 pages
22	Chapman, D. B., "Majordomo: How I Manage 17 Mailing Lists Without Answering "request" Mail," 1992 LISA VI , October 19-23, 1992 - Long Beach, CA, pps. 135-143

Examiner

Date Considered

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN / _____, filed _____, 20_____, relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN / _____, filed _____, 20_____, relied on under 35 USC §120.